

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**CHAMBERS OF
MADELINE COX ARLEO
UNITED STATES MAGISTRATE JUDGE**

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September 12, 2007

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REPORT AND RECOMMENDATION

**Re: Union of Orthodox Jewish Congregations of America v. Fleet Technologies
Civil Action No. 05-4605 (WHW)**

Dear Counsel:

By Order dated November 27, 2006, Magistrate Judge Hedges entered an Order recommending that defendant Pure Springs Water Company, a corporate entity not represented by counsel, have its pleadings stricken and a default entered against it. (Docket Entry No. 31). However, that Order was not styled as a Report and Recommendation as required by the local rules. This Report and Recommendation clarifies Judge Hedges' prior Order.

Under Third Circuit Law, a corporate entity must be represented by counsel. Simbraw v. U.S., 367 F.2d 373 (3d Cir. 1966). No attorney has entered an appearance on behalf of Pure Springs Water Company. Accordingly, this Court hereby recommends that its pleadings be stricken and a default be entered against it. Pure Springs has ten (10) days to file any written objections.

SO ORDERED.

s/Madeline Cox Arleo
MADELINE COX ARLEO
United States Magistrate Judge

cc: Clerk
Hon. William H. Walls, U.S.D.J.
File